

Attorney's Docket No.: 007605.P001

Patent

First Named Inventor: Patrick Joseph Caroline

Check One:

Complete If Known:

☐ Declaration Submitted with
Initial Filing OR
☒ Declaration Submitted After
Initial Filing (Surcharge under
37 C.F.R. § 1.16(e) Required)

Application No.: 10/551,884
Filing Date: September 30, 2005
Art Unit: Not Yet Assigned
Examiner Name: Not Yet Assigned

**DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT
APPLICATION**

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter
which is claimed and for which a patent is sought on the invention entitled:

SOFT LENS ORTHOKERATOLOGY

(Title of the Invention)

the specification of which

☒ is attached hereto
as filed on (MM/DD/YYYY) 09/30/2005 as
as United States Application Number 10/551,884
or PCT International Application Number _____
and was amended on (MM/DD/YYYY) _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification,
including the claim(s), as amended by any amendment specifically referred to above.

I do not know and do not believe that the claimed invention was ever known or used in the United
States of America before my invention thereof, or patented or described in any printed publication in
any country before my invention thereof or more than one year prior to this application. I do not know
and do not believe that the claimed invention was in public use or on sale in the United States of
America more than one year prior to this application, nor do I know or believe that the invention has
been patented or made the subject of an inventor's certificate issued before the date of this
application in any country foreign to the United States of America on an application filed by me or my
legal representatives or assigns more than twelve months (for a utility patent application) or six
months (for a design patent application) prior to this application.

I acknowledge the duty to disclose information which is material to patentability as defined in 37
C.F.R. 1.56, including for continuation-in-part applications, material information which became
available between the filing date of the prior application and the national or PCT international filing
date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

		Priority Claimed?		Certified Copy Attached?	
<u>PCT/AU2004/001156</u>	<u>PCT</u>	<u>08/27/2004</u>		<u>X</u>	<u>X</u>
(Number)	(Country)	(Foreign Filing Date - MM/DD/YYYY)		Yes	No
_____	_____	_____		Yes	No
(Number)	(Country)	(Foreign Filing Date - MM/DD/YYYY)		Yes	No

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

<u>60/498,423</u>	<u>08/27/2003</u>
Application Number	(Filing Date - MM/DD/YYYY)
_____	_____
Application Number	(Filing Date - MM/DD/YYYY)

Appointment of Patent Practitioners:

I hereby appoint the patent practitioners associated with the **Customer Number 08791** as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

If this patent application is assigned, then the undersigned hereby authorizes the patent attorneys and patent agents named herein to accept and follow instructions from the assignee(s) as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the patent attorneys and patent agents and the undersigned. In the event of a change in the persons from whom instructions may be taken, at least one patent attorney or patent agent named herein will be so notified by the undersigned.

Direct all correspondence to (check one):

X **Customer Number 08791 OR**


_____ **Correspondence Address Below:**

**Stephen M. De Klerk
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
Telephone: (408) 720-8300**

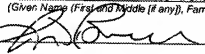
Fax: (408) 720-8383

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Patrick Joseph Caroline
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))
Inventor's Signature:  Date: Dec 8 2005
Residence: Lake Oswego, Oregon, U.S.A. Citizenship: U.S.A.
(City, State, Country) (Country)
Mailing Address: 13606 Blazer Trail
Lake Oswego, Oregon, 97035, U.S.A.

NAME OF SECOND INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Peter Donald Bergenske
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))
Inventor's Signature:  Date: Dec 11 2005
Residence: Hillsboro, Oregon, U.S.A. Citizenship: U.S.A.
(City, State, Country) (Country)
Mailing Address: 3391 N.E. Jackson Road Loop
Hillsboro, Oregon, 97124, U.S.A.

NAME OF THIRD INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Jennifer Denise Choo
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))
Inventor's Signature:  Date: 6 Dec 2005
Residence: Burnaby, British Columbia, Canada Citizenship: Canada
(City, Country) (Country)
Mailing Address: 7360 Union Street
Burnaby, British Columbia V5A 1J2, Canada

NAME OF FOURTH INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Stacy Sanaz Aboutalebi
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))

Inventor's Signature _____ Date _____

Residence Pleasant Hill, California, U.S.A. Citizenship U.S.A.
(City, State, Country) (Country)

Mailing Address 302 Valley High Drive
Pleasant Hill, California, 94523, U.S.A.

NAME OF FIFTH INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Simon Rodney Evans
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))

Inventor's Signature [Signature] Date 6 Dec 2005

Residence Botany, New South Wales, Australia Citizenship Australia
(City, Country) (Country)

Mailing Address 3/2 Daniel Street
Botany, New South Wales 2019, Australia

NAME OF SIXTH INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Arthur Ho
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))

Inventor's Signature [Signature] Date 21 DEC 2005

Residence Clovelly, New South Wales, Australia Citizenship Australia
(City, Country) (Country)

Mailing Address 12/50 Fern Street
Clovelly, New South Wales 2031, Australia

NAME OF SEVENTH INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Eric Basil Paspaliotopoulos
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))

Inventor's Signature [Signature] Date 16/12/05

Residence Paddington, New South Wales, Australia Citizenship Australia
(City, Country) (Country)

Mailing Address 47 Dillon Street
Paddington, New South Wales 2021, Australia

NAME OF EIGHTH INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Brien Anthony Holden
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))

Inventor's Signature  Date 21 Dec 2005

Residence Kingsford, New South Wales, Australia Citizenship Australia
(City, Country) (Country)

Mailing Address 19 Leonard Avenue
Kingsford, New South Wales 2032, Australia

Attorney's Docket No.: 007605.P001

Patent

First Named Inventor: Patrick Joseph Caroline

Check One:

_____ Declaration Submitted with
Initial Filing OR
X Declaration Submitted After
Initial Filing (Surcharge under
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I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

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Prior Foreign Application(s)		Priority Claimed?	Certified Copy Attached?
<u>PCT/AU2004/001156</u> (Number)	<u>PCT</u> (Country)	<u>08/27/2004</u> (Foreign Filing Date - MM/DD/YYYY)	<u>X</u> Yes <u> </u> No
<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Foreign Filing Date - MM/DD/YYYY)	<u> </u> Yes <u> </u> No

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<u> </u> Application Number	<u> </u> (Filing Date – MM/DD/YYYY)

Appointment of Patent Practitioners:

I hereby appoint the patent practitioners associated with the Customer Number **08791** as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

If this patent application is assigned, then the undersigned hereby authorizes the patent attorneys and patent agents named herein to accept and follow instructions from the assignee(s) as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the patent attorneys and patent agents and the undersigned. In the event of a change in the persons from whom instructions may be taken, at least one patent attorney or patent agent named herein will be so notified by the undersigned.

Direct all correspondence to (check one):

 X Customer Number **08791** OR

 Correspondence Address Below:

Stephen M. De Klerk
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12400 Wilshire Boulevard
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Telephone: (408) 720-8300
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Patrick Joseph Caroline
(Given Name (First and Middle [if any]), Family Name (or Surname), and Suffix [if any])

Inventor's Signature _____ Date _____

Residence Lake Oswego, Oregon, U.S.A. Citizenship U.S.A.
(City, State, Country) (Country)

Mailing Address 13606 Blazer Trail
Lake Oswego, Oregon, 97035, U.S.A.

NAME OF SECOND INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Peter Donald Bergenske
(Given Name (First and Middle [if any]), Family Name (or Surname), and Suffix [if any])

Inventor's Signature _____ Date _____

Residence Hillsboro, Oregon, U.S.A. Citizenship U.S.A.
(City, State, Country) (Country)

Mailing Address 3391 N.E. Jackson Road Loop
Hillsboro, Oregon, 97124, U.S.A.

NAME OF THIRD INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Jennifer Denise Choo
(Given Name (First and Middle [if any]), Family Name (or Surname), and Suffix [if any])

Inventor's Signature _____ Date _____

Residence Burnaby, British Columbia, Canada Citizenship Canada
(City, Country) (Country)

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NAME OF FOURTH INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Stacy Sanaz Aboutalebli
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Inventor's Signature [Signature] Date 12/19/05
Residence Pleasant Hill, California, U.S.A. Citizenship U.S.A.
(City, State, Country) (Country)
Mailing Address 302 Valley High Drive
Pleasant Hill, California, 94523, U.S.A.

NAME OF FIFTH INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Simon Rodney Evans
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))
Inventor's Signature _____ Date _____
Residence Botany, New South Wales, Australia Citizenship Australia
(City, Country) (Country)
Mailing Address 3/2 Daniel Street
Botany, New South Wales 2019, Australia

NAME OF SIXTH INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Arthur Ho
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))
Inventor's Signature _____ Date _____
Residence Clovelly, New South Wales, Australia Citizenship Australia
(City, Country) (Country)
Mailing Address 12/50 Fern Street
Clovelly, New South Wales 2031, Australia

NAME OF SEVENTH INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Eric Basil Papaspiliotopoulos
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))
Inventor's Signature _____ Date _____
Residence Paddington, New South Wales, Australia Citizenship Australia
(City, Country) (Country)
Mailing Address 47 Dillon Street
Paddington, New South Wales 2021, Australia

NAME OF EIGHTH INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Brien Anthony Holden
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))

Inventor's Signature _____ Date _____

Residence Kingsford, New South Wales, Australia Citizenship Australia
(City, Country) (Country)

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